



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/055,358	01/22/2002	Angela Marcela Wilkinson	WILK03-0004	9273

7590

02/25/2005

Docket Clerk  
P.O. Drawer 800889  
Dallas, TX 75380

EXAMINER
----------

THOMAS, ALEXANDER S

ART UNIT	PAPER NUMBER
----------	--------------

1772

DATE MAILED: 02/25/2005

Please find below and/or attached an Office communication concerning this application or proceeding.



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
P.O. Box 1450  
ALEXANDRIA, VA 22313-1450  
www.uspto.gov

BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

Application Number: 10/055,358  
Filing Date: January 22, 2002  
Appellant(s): WILKINSON, ANGELA MARCELA

Daniel Venglarik  
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed January 21, 2005.

MAILED  
FEB 25 2005  
GROUP 1700

MAILED  
FEB 2 2005  
GROUP 1700

22

Art Unit: 1772

**(1) *Real Party in Interest***

A statement identifying the real party in interest is contained in the brief.

**(2) *Related Appeals and Interferences***

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

**(3) *Status of Claims***

The statement of the status of the claims contained in the brief is correct.

**(4) *Status of Amendments After Final***

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

**(5) *Summary of Claimed Subject Matter***

The summary of invention contained in the brief is correct.

**(6) *Grounds of Rejection To Be Reviewed On Appeal***

The appellant's statement of the issues in the brief is substantially correct.

The changes are as follows:

Claims 1, 2, 4, 5, 9-14 and 16-20 stand rejected over Kaye in view of applicant's acknowledged state of the art. The phrase "in view of applicant's acknowledged state of the art" was inadvertently left out of the Final Rejection dated 5/14/04, however it is clear from the body of the rejection that applicant's acknowledged state of the art was being relied upon as a secondary reference.

Claims 1, 2, 4, 5, 9-15 and 20 stand rejected over Kamel in view of applicant's acknowledged state of the art.

Art Unit: 1772

Claims 1, 2, 4, 5, 10, 12, 14 and 16 stand rejected over Krass in view of applicant's acknowledged state of the art.

**(7) *Claims Appendix***

The copy of the appealed claims contained in the Appendix to the brief is correct.

**(8) *Prior Art of Record***

The following is a listing of the evidence (e.g., patents, publications, Official Notice, and admitted prior art) relied upon in the rejection of claims under appeal.

D181,058	KAYE	9-1957
D266,045	KAMEL et al	9-1982
D139,954	KRASS	10-1944

**(9) *Grounds of Rejection***

The following ground(s) of rejection are applicable to the appealed claims:

Claims 1, 2, 4, 5, 9-14 and 16-20 stand rejected under 35 USC 103 as being unpatentable over Kaye in view of applicant's acknowledged state of the art. This rejection is set forth in the prior office action mailed May 14, 2004. The phrase "in view of applicant's acknowledged state of the art" was inadvertently left out of the office action mailed 5/14/04, however it is clear from the body of the rejection that applicant's acknowledged state of the art was being relied upon as a secondary reference.

Art Unit: 1772

Claims 1, 2, 4, 5, 9-15 and 20 stand rejected under 35 USC 103 as being unpatentable over Kamel et al in view of applicant's acknowledged state of the art. This rejection is set forth in the prior office action mailed May 14, 2004.

Claims 1, 2, 4, 5, 10, 12, 14 and 16 stand rejected under 35 USC 103 as being unpatentable over Krass in view of applicant's acknowledged state of the art. This rejection is set forth in the prior office action mailed May 14, 2004.

**(10) *Response to Argument***

Appellant argues that the size of both the body and coaster extension of the placemat are not shown or suggested by the cited references. However, as set forth in the Final Rejection, it is the Examiner's position that adjusting the size of the placemat and its extensions is well within the purview of one of ordinary skill in the art to achieve the desired coverage or protection for a particular end use.

Appellant further argues that the office action merely asserts without any support that the claimed materials for the placemat are well-known. However, the rejections clearly rely on appellants acknowledged state of the art to show that the claimed materials were well-known materials used to make placemats at the time of appellant's invention.

Appellant also argues that the instantly claimed placemat is "reversible" and that such a feature is not disclosed by the cited references. The placemats disclosed in Kaye and Kamel et al may be employed "while resting on a first surface or while resting on a second surface opposite the first surface" and therefore meet the limitations of claims 11 and 20 concerning reversibility.

Art Unit: 1772

For the above reasons, it is believed that the rejections should be sustained.


Respectfully submitted,



ALEXANDER S. THOMAS  
PRIMARY EXAMINER

ast  
February 15, 2005

Conferees

Rena Dye 

Harold Pyon 

Docket Clerk  
P.O. Drawer 800889  
Dallas, TX 75380